

REMARKS

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Dickey et al., U.S. Patent No. 6,189,896 ("Dickey").

The Office on page 2 of the Action includes a copy of Fig. 3 of Dickey that has been labeled to include additional reference characters "A", "B", "C", "Y" and "Z", and on page 3 explains where each of the elements recited in claim 1 of the present application is considered to be included in the seal ring of Dickey shown in Fig. 3.

Applicant respectfully submits that the Office has improperly interpreted certain of the limitations of claim 1 and that, if claim 1 is properly interpreted, Dickey fails to disclose each and every limitation of claim 1 and, therefore, fails to support a case of anticipation of claim 1 under 35 U.S.C. 102(b).

In the seal ring ("5")<sup>1</sup> of the present invention as recited in claim 1, concaves ("51") (refer to Fig. 2) are separated from each other along the circumference of the side face ("6") by columnar surfaces ("54"). However the cavities ("20") of Dickey extend radially outward from radial inner circumferential face ("12") to

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<sup>1</sup>The reference numerals are those used in the drawings of the present application and are used herein for convenience in discussing the Office's interpretation of the limitations recited in claim 1.

a location spaced from radial outer circumferential face ("14") continuously, and are not separated by columnar surfaces (e.g., "Z") as indicated by the Office.

Also, in the seal ring ("5") of the present invention, a second inclined portion ("57") is provided on an **inner** circumferential side of each columnar surface ("54"). However, the Office's interpretation of a second inclined portion (e.g., "B" and "C") in Dickey is incorrect for the reason that "B" and "C" are not provided on an inner circumferential side of each columnar surface (e.g., "Z").

Furthermore, in the seal ring ("5") of the present invention, end of each of concaves ("51") converges with a surface of the side face to form a converging point, adjacent converging points being separated from each other by the columnar surface. This limitation is to be given its broadest reasonable interpretation in light of the specification according to decisions of the Federal Circuit. Referring to the specification, the converging portion ("B") of the seal ring ("5") of the present invention converges toward the innermost points of the column portion ("54") (see page 14, line 14 to line 21 of the specification). On the other hand, a converging point in Fig. 3 of Dickey, as assigned to Y, by the Office does not converge toward innermost points of the column surface (e.g., "Z").

In view of the failure of Dickey to include the above-noted elements of claim 1, Dickey is insufficient to support a case of anticipation of claim 1 under 35 U.S.C. § 102.

Claims 2 to 8 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dickey. This rejection depends on the propriety of the 35 U.S.C. 102(b) rejection of claim 1 on which claims 2 to 8 depend. Since the 35 U.S.C. 102(b) rejection of claim 1 has been overcome, claims 2 to 8 are *prima facie* patentable.

Removal of the 35 U.S.C. § 102(b) and 35 U.S.C. 103(a) rejection of the claims and a notice of allowability of the claims are believed to be in order and are respectfully requested.

The foregoing is believed to be a complete and proper response to the Office Action dated August 22, 2007, and is believed to place this application in condition for allowance. If, however, minor issues remain that can be resolved by means of a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number indicated below.

In the event that this paper is not considered to be timely filed, applicant hereby petitions for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 111833.

PATENT APPLN. NO. 10/541,573  
RESPONSE UNDER 37 C.F.R. § 1.116

**PATENT**  
**FINAL**

In the event any additional fees are required, please also  
charge our Deposit Account No. 111833.

Respectfully submitted,

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